



January 31, 1974

BOARD OF APPEAL REFERRALS

1. Z-3003, Paul & Karen Martin, 31 Windham Road, Hyde Park
2. Z-3004, LaSalle Realty Company, 1435 VFW Parkway, West Roxbury
3. Z-3005, Ferdinand Kiley and Joseph Venezia, 430-436 Geneva Avenue, Dorchester
4. Z-3009, Atlantic Pipe Company, 237-241 Albany Street, Boston
5. Z-3010, Suffolk University, 20 Derne Street, Boston
6. Z-3012, Monica Smith, 257 Humboldt Avenue, Roxbury
7. Z-3034-3036, Greenery Nursing Home, 83, 95, 99-111 Chestnut Hill Avenue, Brighton
8. Z-2993, Matmor Village Corporation, 1 Trident Street, East Boston

MEMORANDUM

January 31, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert T. Kenney, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 2/12/74

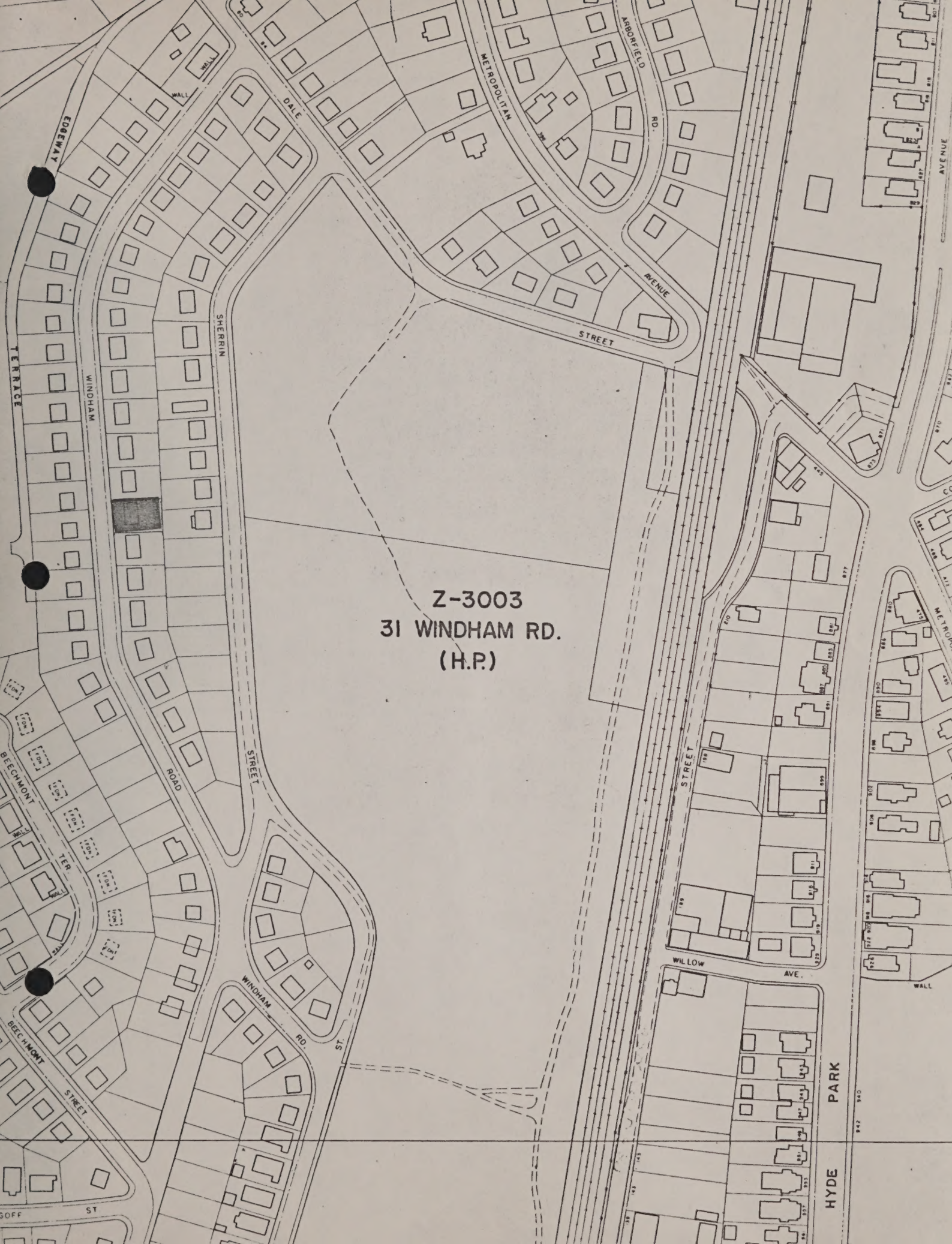
Petition No. Z-3003
Paul E. & Karen Martin
31 Windham Road
Hyde Park

Petitioner seeks a variance to legalize an addition to a one family dwelling in a single family (S-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. Side yard is insufficient.	10 ft.	7 ft.

The property, located on Windham Road near the intersection of Dale Street, contains a 1½ story frame structure. Enclosed side porch was existing when purchased by the petitioner in April 1973. Violation is minimal. Recommend approval.

VOTED: That in connection with Petition No. Z-3003, brought by Paul E. & Karen Martin, 31 Windham Road, Hyde Park, for a variance to legalize a porch addition to a one-family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. Minimal side yard violation will not significantly affect abutting property.



Z-3003
31 WINDHAM RD.
(H.P.)

Board of Appeal Referrals 1/31/74

Hearing Date: 2/12/74

Petition No. Z-3004
LaSalle Realty Company
1435 VFW Parkway
West Roxbury

Petitioner seeks a conditional use to erect a one-story addition to a drive-in restaurant (Howdy Beefburger) in a local business (L-.5) district. The proposal violates the code as follows:

Section 8-6. A change in a pre-existing conditional use requires Board of Appeal approval.

The property, located on VFW Parkway near the intersection of Spring Street, contains a one-story masonry structure. Proposal includes an 1,180 square foot dining area with seating accommodations for 98 persons and remodeling of the existing facility. Following conditions are recommended: that Parkway curb cut nearest Spring Street be redesigned and limited to entrance only; provision of landscape buffer in parking lot to prevent short-cut bypassing Spring Street - VFW Parkway intersection; provision of directional arrows on parking lot pavement; signs to conform with code regulations. Recommend approval with provisos.

VOTED AS AMENDED

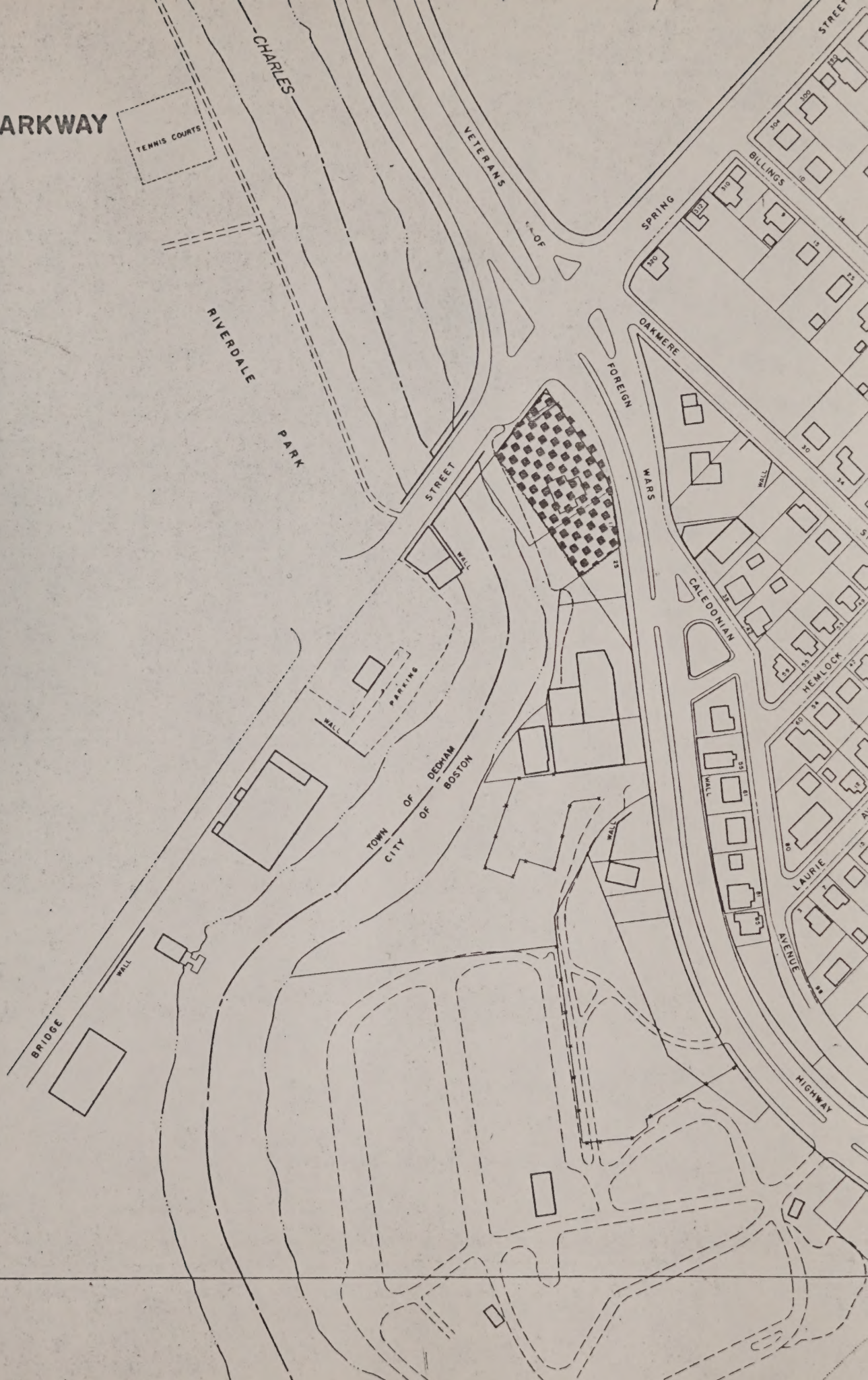
VOTED: that in connection with Petition No. Z-3004, brought by LaSalle Realty Company, 1435 VFW Parkway, West Roxbury, for a conditional use to erect a one-story addition to a drive-in restaurant in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial. The increase in seating capacity would generate additional traffic at an intersection already congested and hazardous.

VOTED: That in connection with Petition No. Z-3004, brought by LaSalle Realty Company, 1435 VFW Parkway, West Roxbury, for a conditional use to erect a one-story addition to a drive-in restaurant in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following conditions: that Parkway curb cut nearest Spring Street be redesigned and limited to entrance only; provision of landscape buffer in parking lot to prevent short-cut bypassing Spring Street - VFW Parkway intersection; provision of directional arrows on parking lot pavement; signs to conform with code regulations.

*denial
recommended
(w/ increase
traffic)*

Z-3004

1435 V.F.W. PARKWAY
(W.R.)



Board of Appeal Referrals 1/31/74

Hearing Date: 2/12/74

Petition No. Z-3005
Ferdinand J. Kiley III and
Joseph Venezia
430-436 Geneva Avenue
Dorchester

Petitioner seeks a forbidden use for a change of occupancy from a store to light manufacturing of tools and dies in a local business (L-.5) district. The proposal violates the code as follows:

Section 8-7. Manufacturing is forbidden in an L-.5 district.

The property, located at the intersection of Geneva Avenue and Leroy Street, contains a one-story frame structure. Industrial conversion of this corner site would have a serious impact on the mixed residential - local business neighborhood. Proposal would generate undesirable commercial traffic. Neighborhood service use would be more appropriate and beneficial. Recommend denial.

VOTED: That in connection with Petition No. Z-3005, brought by Ferdinand J. Kiley III and Joseph Venezia, 430-436 Geneva Avenue, Dorchester, for a change of occupancy from a store to light manufacturing of tools and dies in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial. Industrial conversion of this corner site would have a serious impact on the mixed residential - local business neighborhood. Proposal would generate undesirable commercial traffic. Neighborhood service use would be more appropriate and beneficial.



Z-3005

430-436 GENEVA AVE

(DOR.)

Board of Appeal Referrals 1/31/74

Hearing Date: 2/26/74

Petition No. Z-3009
Atlantic Pipe Company
237-241 Albany Street
Boston

Petitioner seeks two variances to erect two single face wall signs in a light manufacturing (M-2) district. The proposal violates the code as follows:

Section 11-2. Wall signs attached parallel to a building may be no higher than top of sills of first level of windows above first story.

Section 11-2. Area of each sign is excessive.

The property, located on Albany Street near the intersection of Traveler Street, contains a two-story masonry structure. Sign on north side wall has already been erected. It is excessive, unsightly and must be removed. There is no justification for non-compliance with sign regulations. Mass. Sign Contractors Association is opposed. Recommend denial.

VOTED: That in connection with Petition No. Z-3009, brought by Atlantic Pipe Company, 237-241 Albany Street, Boston, for two variances to erect two single face wall signs in a light manufacturing (M-2) district, the Boston Redevelopment Authority recommends denial. Sign on north side wall has already been erected. It is excessive, unsightly and must be removed. There is no justification for non-compliance with sign regulations. Mass. Sign Contractors Association is opposed.

Z-3009
237-241 ALBANY ST.
(B.P.)



Board of Appeal Referrals 1/31/74

Hearing Date: 2/26/74

Petition No. Z-3010
Suffolk University
20 Derne Street
Boston

Petitioner seeks a conditional use to erect a greenhouse addition to a classroom building in an apartment (H-2-65) district. The proposal violates the code as follows:

Section 8-6. A change in a pre-existing conditional use requires a Board of Appeal hearing.

The property, located on Derne Street at the intersection of Temple Street, contains a five-story masonry structure on the roof of which the proposed greenhouse would be constructed. Plants grown in the facility would be used in science laboratory courses conducted in the building. Roof height, parapet and location on the roof prevent visibility from the ground. Proposal complies with requirements for a conditional use. Recommend approval.

VOTED: That in connection with Petition No. Z-3010, brought by Suffolk University, 20 Derne Street, Boston, for a conditional use to erect a greenhouse addition to a classroom building in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Proposal complies with requirements for a conditional use.



Z-3010

20 DERNE ST.

(B.P.)

Board of Appeal Referrals 1/31/74

Hearing Date: 2/26/74

Petition No. Z-3012
Monica Smith
257 Humboldt Avenue
Roxbury

Petitioner seeks a forbidden use for a change of occupancy from a three family dwelling to a two family dwelling and dentist's office in an apartment (H-1) district. The proposal violates the code as follows:

Section 8-7. A dentist's office is forbidden in an H-1 district.

The property, located at the intersection of Humboldt Avenue and Hutchings Street in the Washington Park Urban Renewal Area, contains a three-story masonry structure. Use apparently has existed for several years. Professional office (allowed accessory use) would provide a beneficial community service and have a stabilizing affect on the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-3012, brought by Monica Smith, 257 Humboldt Avenue in the Washington Park Urban Renewal Area, for a forbidden use for a change of occupancy from a three-family dwelling to a two-family dwelling and dentist's office in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Professional office would provide a beneficial community service and have a stabilizing affect on the neighborhood.



Z-3012

257 HUMBOLDT AVE.
(ROX.)

PARKING AREA

OLD TRAIL ROAD
CHILDREN'S PLAY PEN

Hearing Date: 2/12/74

Petitions Nos. Z-3034-3036
 Greenery Nursing Home
 George G. Marquis, Trustee
 Stadium Realty Trust
 83, 95, 99-111 Chestnut Hill Avenue
 Brighton

Petitioner seeks three forbidden uses and seven variances to combine lots and erect a three story, 80 bed addition to a nursing home in a single family (S-.5) district. The proposal violates the code as follows:

83-95 Chestnut Hill AvenueReq'dProposed

Section 8-7. A nursing home is forbidden in an S-.5 district.

99-111 Chestnut Hill Avenue

Section 8-7. A nursing home is forbidden in an S-.5 district.

Section 14-2. Lot area for additional dwelling unit is insufficient.

4000 sf/du

672 sf/du

Section 10-1. Parking not allowed in front yard.

Section 15-1. Floor area is excessive.

0.5

1.1

Section 16-1. Height of building is excessive.

2½ stories

3 stories

Section 18-1. Front yard is insufficient.

30 ft.

10 ft.

Section 20-1. Rear yard is insufficient.

50 ft.

5 ft.

Section 23-3. Off street parking is insufficient.

62 spaces

37 spaces

The property, located at the intersection of Chestnut Hill Avenue and Wiltshire Road, contains a three-story nursing home and a 2½ story frame dwelling. This is a similar petition to Z-2997 in which the petitioner failed to include properties at 83 & 95 Chestnut Hill Avenue. On December 13, the Authority recommended denial as submitted; the Board of Appeal subsequently dismissed the petition because of the technicality.

Plan as presented would have serious environmental impacts: demolition of a viable residential structure, insufficient parking and setbacks, poor access and loading. Expansion of the forbidden use should only be permitted subject to a plan which would successfully provide for the needs of the institution and not weaken the scale and character of this residential neighborhood. Recommend denial as submitted.

VOTED: That in connection with Petitions Nos. Z-3034-3036, brought by Greenery Nursing Home and George G. Marquis, Trustee, Stadium Realty Trust, 83, 95, 99-111 Chestnut Hill Avenue, Brighton, for three forbidden uses and seven variances to combine lots and erect a three story, 80 bed addition to a nursing home in a single family (S-.5) district, the Boston Redevelopment Authority recommends denial as submitted. Petitioner's plan would have serious environmental impacts: demolition of a viable residential structure, insufficient parking and setbacks, poor access and loading. Expansion of the forbidden use should only be permitted subject to a plan which would successfully provide for the needs of the institution and not weaken the scale and character of this residential neighborhood.

Z-3034-36

-III CHESTNUT HILL AVE

(BRI.)



Board of Appeal Referrals 1/31/74
 TABLED: 1/17/74

Hearing Date: 2/5/74

Petition No. Z-2993
 Matmor Village Corporation
 Francis V. Matera
 1 Trident Street, East Boston

Petitioner seeks ten variances to erect a four-story 87-unit apartment building in a local business (L-.5) district. The proposal violates the Code as follows:

		<u>Req'd</u>	<u>Prop</u>
Section 14-2.	Lot area for additional dwelling unit is insufficient.	1500sf/du	370 sf/du
Section 15-1.	Floor area ratio is excessive.	0.5	2.5
Section 16-1.	Height of building is excessive.	2½ stories 35 ft.	4 stories 45 ft.
Section 17-1.	Open space is insufficient.	800sf/du	161sf/du
Section 18-1.	Front yard is insufficient (Trident Street)	20 ft.	6 ft.
Section 18-3.	Corner traffic visibility is insufficient.		
Section 18-4.	Front yard is insufficient (Saratoga Street)	20 ft.	8 ft.
Section 20-1.	Rear yard is insufficient.	40 ft.	4 ft.
Section 21-1.	Setback of parapet is insufficient.		
Section 23-1.	Off street parking is insufficient.	87 spaces	78 spaces

The property, located at the intersection of Trident and Bennington Streets, contains two one-story structures (to be demolished) on 36,843 square feet of land. Proposal, which will include an underground garage has received community review and support. Staff has also participated in the development. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-2993, brought by Matmor Village Corporation, 1 Trident Street, East Boston, for ten variances to erect a four-story 87-unit apartment building in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval provided all plans are submitted for design review. Proposed development has received community review and support.

Z-2993
1 TRIDENT ST.
(E.B.)

